THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.6576 of 2006

Dt.4.4.2006

Between:

K.Laxma Reddy … Petitioner

And

The Commissioner, Municipal Corporation of Hyderabad, Hyderabad and others.

…Respondents

ORDER:

The petitioner seeks writ of mandamus to direct respondents 1 and 2 to consider and dispose of the complaint, dated 18.3.2006, filed by the petitioner.

The case of the petitioner is that he is the owner of the premises bearing No.2-2-185/56/11/A situated at Somasunder Nagar, Bagh Amberpet, Hyderabad and towards Eastern side of his premises the property of the 3rd respondent bearing No.2-2-185/56/10&11 is situated. It is stated that the 3rd respondent had obtained permission for construction of stilt + 5 upper floors from the first respondent and instead of constructing the building as per the sanctioned plan, he is proceeding with the construction by deviating the sanctioned plan without maintaining the set backs and projected the balcony over the compound wall of the petitioner. Therefore, the petitioner filed a representation on 18.3.2006 bringing it to the notice of the first respondent about the deviations and obtained acknowledge also. It is stated that the said representation has not been considered and disposed of by the first respondent.

Heard the learned counsel for the petitioner and the learned Standing Counsel on behalf of respondents 1 and 2.

Having regard to the facts and circumstances of the case, as it is the duty of the first respondent to ensure construction of

the building as per sanctioned plan without any deviation, the first respondent is directed to consider and dispose of the said representation of the petitioner, dated 18.3.2006, after giving reasonable opportunity to the petitioner as well as to the 3rd respondent and take appropriate action in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

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V.ESWARAIAH, J.

4.4.2006
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